

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WALTER LEE JONES-BEY,

Plaintiff,

Case No. 05-72817

v.

District Judge Denise Page Hood
Magistrate Judge R. Steven Whalen

MICHIGAN DEPARTMENT OF
CORRECTIONS, *et al.*

Defendants.

ORDER

Plaintiff has filed two motions for protective order [Docket #18, filed 11/15/05; and Docket #24, filed 1/31/06], both seeking to prevent the Bellamy Creek Correctional Facility from interfering with his right of access to the courts. In Motion #24, Plaintiff asks that the United States Marshal be directed to retrieve and deliver his mail to the Court.

On June 27, 2006, the undersigned filed a Report and Recommendation (R&R), recommending that Plaintiff's claim for damages against the Defendants in their individual capacities be dismissed. On July 21, 2006, the undersigned filed an Amended R&R, recommending that the complaint for injunctive relief be dismissed as well. If the R&Rs are accepted, Plaintiff's case will be dismissed in its entirety, rendering his requests for protective orders moot.

In addition, I note that Plaintiff has filed objections to both the original and amended R&Rs, casting serious doubt on his claim that he is being denied access to the court.

Accordingly, Plaintiff's Motions for Protective Order [Docket #18 and #24] are DENIED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 6, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on September 6, 2006.

S/G. Wilson
Judicial Assistant